

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

|                                      |   |                                |
|--------------------------------------|---|--------------------------------|
| <b>THOMAS McCANT,</b>                | ) |                                |
|                                      | ) |                                |
| <b>Plaintiff,</b>                    | ) |                                |
|                                      | ) |                                |
| <b>vs.</b>                           | ) | <b>CIVIL NO. 07-cv-879-MJR</b> |
|                                      | ) |                                |
| <b>ROGER E. WALKER, JR., et al.,</b> | ) |                                |
|                                      | ) |                                |
| <b>Defendants.</b>                   | ) |                                |

**MEMORANDUM AND ORDER**

**REAGAN, District Judge:**

Before the Court is Plaintiff's motion to vacate suit, which the Court construes as a request for voluntary dismissal of the action pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure (Doc. 7). Voluntary withdrawal of his complaint is Plaintiff's right, and, accordingly, this action is **DISMISSED WITHOUT PREJUDICE**. The Clerk shall **CLOSE THIS CASE**.

**IT IS SO ORDERED.**

**DATED this 24<sup>th</sup> day of March, 2008.**

s/ Michael J. Reagan  
**MICHAEL J. REAGAN**  
**United States District Judge**